IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 35544 of 2007(F)

PETITIONER:

M.A.SALEEM,
S/O.ABDULLAH, RESIDING AT GRAND LODGE,
M.M.ALI ROAD, KOZHIKODE.

BY ADV. SRI.MANJERI SUNDERRAJ
SRI.B.PREMNATH (E)

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT OF KERALA, LOCAL SELF
GOVERNMENT, TRIVANDRUM.

2. SECRETARY TO GOVERNMENT OF KERALA,
HOME DEPARTMENT, TRIVANDRUM.

3. KOZHIKODE CORPORATION REP. BY ITS
SECRETARY, CORPORATION OFFICE,
KOZHIKODE 673 032.

R1-R2 BY GOVT. PLEADER MR.K.J.MOHAMMED ANZAR
R3 BY ADV. SRI.P.V.KUNHIKRISHNAN,SC,KOZHIKODE CORPN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.35544 of 2007

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Dated: 12th December, 2007

JUDGMENT

Heard both sides.

2. Mr.P.V.Kunhikrishnan, Standing Counsel for the Kozhikode Corporation submits that a total number of 300 books were seized from various street hawkers. All the 300 books are now under the custody of the Corporation and if the petitioner approaches the Corporation with some evidence regarding the ownership or possessory right over the books, the Corporation may not have any objection in releasing those books to the petitioner. Under these circumstances, I dispose of the Writ Petition directing the petitioner to approach the Corporation with evidence regarding the ownership or possessory control over the books at the time when they were seized. On the petitioner approaching the Corporation, the Corporation will release those books which are seen to have been seized from the petitioner's custody.

srd **PIUS C.KURIAKOSE, JUDGE**